OFFICE OF THE
MERIT COMMISSIONER

Service Plan
2010/11 – 2012/13

Presented to
The Select Standing Committee on Finance and Government Services
Legislative Assembly of British Columbia

November 16, 2009

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Message from the Merit Commissioner

I am pleased to present the 2010/11 to 2012/13 Service Plan for the Office of the Merit Commissioner. The goals of the first three years of the Office were to complete robust audits to provide base line data about the level of merit-based hiring and promotions throughout the BC Public Service and to identify the primary reasons when the merit principle was found not to be applied. These goals have been met and reported annually.

The next three years will be a time of challenge and change as the Merit Commissioner's activities adjust to changes in the BC Public Service's hiring system. In fact, those changes have been shaped by the Merit Commissioner's oversight role. Last year, the results of the 2007/08 audit were reported to this Committee. The lead concern was in 20% of appointments managers were not following basic hiring legal, policy or collective agreement obligations. This showed a weakness in the integrity of a system which delegated hiring to managers- especially when the volume of hiring was increasing, and many managers were new to the public service or new to the hiring role. We recommended a pro-active campaign of training for merit-based hiring since the findings were due to a lack of information and support rather than widespread misconduct.

(1) Annual Audit

Government has just announced a different approach: the hiring system will change from a delegated model to a centralized model. The BC Public Service Agency will now be government's corporate hiring centre. The Hiring Centre will recruit, assess and pre-qualify candidates and refer them to the manager of the position to decide who to hire. Promotions will also be managed centrally. Annual audits which sample new appointments made throughout the province, by large and small ministries and for bargaining unit and excluded management positions, will now also include the Hiring Centre's process. The audit program will have to change from one that audits individual competitions to one that reflects the changed process for hiring and involves pre-qualified pools.

(2) Special audits

Since 2006, all employees have been surveyed annually in the Workplace Environment Survey. In 2009 there was a response rate of 23,574 employees (87%). There are two questions about fair and merit-based staffing practices. Responses have been analyzed by ministry, job description, region, age, gender, years of service, level of engagement, and appointment status. This year there will be a special audit of all appointments in a job classification where consistently more than 50% disagreed that merit is the basis on which positions are filled in their work units. In 2010/11 we will build on the results and insights that are gained from this work.

(3) Staffing reviews

The Public Service Act provides a right to request a review of the principle of merit in an appointment, to any employee who has applied for the job. Very few do. There is very little

information about this right available in the public service. The Office will survey employees to determine awareness of the review process and attitudes about the use of it. The results will be used to determine whether the work culture supports the use of the right or whether employees think a request is a career limiting action. This is particularly important when hiring and promotions are centralized to one agency.

The next Merit Commissioner will also undoubtedly bring a fresh approach to the Office's priorities.

The Public Service as a Workforce: 2009

- 36,600 employees
- 21 Ministries, headed by Deputy Ministers
- 15 agencies, 7 independent offices

Vision

The Office is valued for the integrity and effectiveness with which it independently reports whether the BC Public Service is hired fairly, based on merit, and non-partisan.

Mandate

The Merit Commissioner's Office provides independent oversight and insight into merit–based hiring in the BC Public Service.

All appointments to and within the Public Service must be made on the principle of merit. Merit means that appointments are made on the basis of an assessment of competence and ability to do the job, and are not influenced by patronage. To carry out this mandate we focus on the core services: annual and special audits; independent staffing reviews; and education about the requirement of merit-based staffing.

The Office provides credible and relevant information about staffing on which government will act to produce positive changes. These outputs all support the long-term goal of building public confidence and a strong consensus that the Public Service is qualified, and hired fairly, according to the principle of merit.

Oversight: How we work

- Audit of new appointments
- Special audits of categories of appointments
- Staffing reviews
- Analysis of Work Environment Surveys
- Focus groups and surveys
- Outreach about the value of merit
- Annual Report & Merit Commissioner recommendations

Performance Measures and Targets: Audits

The goal in all our audits is to have a sample size that is sufficiently robust to generalize the audit results to the population of all appointments made. Audit results must be reported in detail to heads of organizations and summarized to the Legislative Assembly.

Performance Measures	2010/11 Target	2011/12 Target	2012/13 Target
All Audits			
Confidence level that sample results can be extrapolated to target population	Confidence interval of level of 90%	Confidence interval of level of 90%	Confidence interval of level of 90%
Special Audits			
Special audits completed & reported	Auditing low merit results in Work Environment Survey	Auditing low merit results in Work Environment Survey	Auditing low merit results in Work Environment Survey

Performance Measures and Targets: Staffing Reviews

It is important to the employee and to the employer that a timely decision be made. The goal is to have thorough staffing review decisions provided to the employee and to the employer within 30 days.

Performance Measure	2010/11 Target	2011/12 Target	20012/13 Target
Number of staffing reviews completed within 30 days	100%	100%	100%

Core Strategies

Government's Corporate Human Resources Plan includes an actuarial analysis of future staffing needs. It takes into account the projections that 45% of managers and 35% of bargaining unit employees will retire by 2014. Retirements are on track. Due to economic conditions vacancies are being filled by internally re-deployed staff to avoid lay-offs and some vacancies will not be filled. By 2015 the size of the BC Public Service is forecast to be 20% smaller. This will require a highly engaged workforce to deliver public services to a growing population.

Staffing practices are one of the 4 key drivers of employee engagement. The Office's strategies are to exercise oversight of the top leading indicators that staffing practices are merit based and fair. The Office uses a framework emphasizing senior management commitment, continuous improvement and employee involvement. Improved performance of these indicators will lead to improved employee engagement.

Leading Indicators of Merit-based Hiring in the BC Public Service		
Workplace Culture		**Measures**
	Deputy Ministers seen and believed to be committed to merit-based hiring	Statements and actions match the Corporate Human Resource Plan. Corrective actions taken following staffing review findings.
	Managers & supervisors upholding merit in hiring & promotions	Audits and staffing reviews.
	Employee opinions of merit-based and fair staffing practices	Work Environment Survey, focus groups, surveys
Merit-based Hiring System		
	Hiring policy, legislation and relevant collective agreement provisions are known and applied consistently	Audits, staffing reviews, and surveys
	Hiring practice is transparent, fair, decisions are reasonable and job related	Audits and staffing reviews
	Continuous improvement following audit findings	Audit Follow-up and tracking
	Merit Commissioner recommendations are responded to and implemented	Monitoring
	Code of Conduct and ethics training emphasize the principle of merit in hiring	Government training
Employee Responsibility		
	Employees are aware of and use the staffing review process	Surveys and follow-up to staffing reviews
	Managers are recognized for merit-based hiring	Audits and staffing reviews

Progress on Key Commitments and the Challenges Ahead

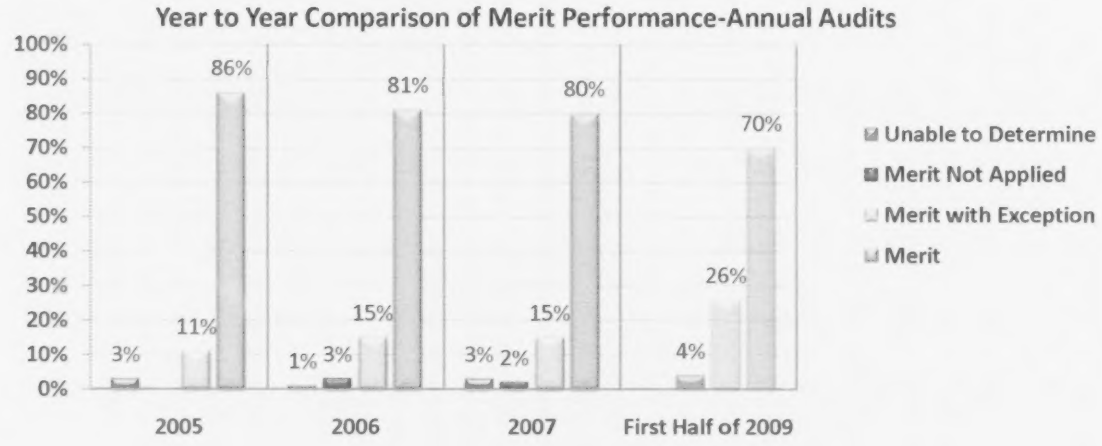
The Office is on track for the 2009 annual audit. Appointments are being audited shortly after being made and heads of organizations are receiving detailed reports on a quarterly basis. Reports are being used to correct mistakes so they don't recur. An additional benefit of timely audits is that there have been no audits which could not make a determination due to missing documents.

The special audit for 2008/09 of temporary short term appointments concluded its first phase. These are promotional opportunities for a term of less than 7 months, which do not have to be competed. The Office is currently auditing a sample of those 21% of short term appointments which have been renewed multiple times.

The special audit for 2009/10 has identified the occupational group that has consistently replied most negatively about staffing being based on merit in the Work Environment Survey. The audit will sample all hires and promotions at a particular classification level in this occupational group.

A public service hired through a merit-based process should reflect the diversity of people, skills and ideas available in the province's labour force. Through BC STATS our office has tracked the diversity figures for the BC Public Service and it is not as diverse in terms of young workers (under 30) or for visible minorities as the provincial labour force. We have shared those figures with the BC Public Service Agency as we will do with additional research on how other organizations have increased diversity while upholding merit.

Staffing reviews in 2009/10 are fewer than in previous years but the number of people and groups that have contacted my office with informal complaints has never been higher. This has provided the impetus for a survey for the coming year.



Priorities for Fiscal 2010/11

Annual Audits

The Office's annual audits which sample new appointments made throughout the province, by large and small ministries and for bargaining unit and excluded management positions, will now also include the Hiring Centre's assessment and deployment process. The audit program will have to change from one that audits individual competitions to one that reflects the changed process for hiring and involves pre-qualified pools.

Special Audits

The Workplace Environment Survey responses about fair and merit-based staffing practices have been analyzed by government organization, region, classification or occupation, employee type and group, age, gender, years of service, and by engagement profile. In 2010/11 we will build on the results of the fourth year of the Survey and the insight gained from the 2009/10 special audit.

2009 Work Environment Survey Overall Results

"In my workplace, the selection of a person for a position is based on merit"

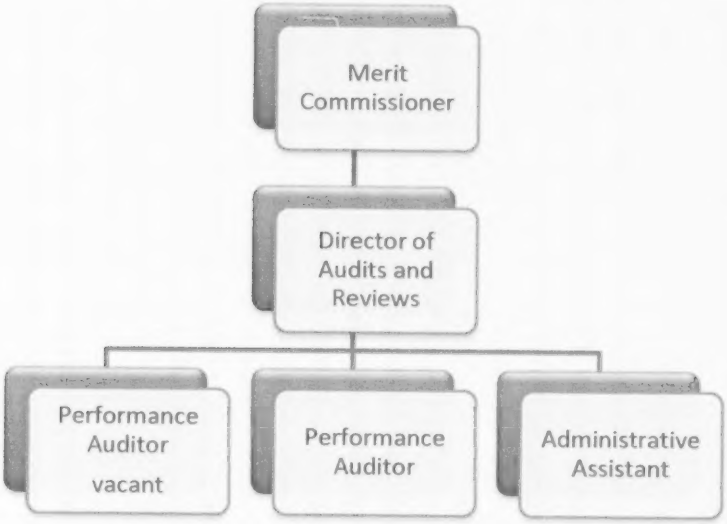
- 52% agreed
- 22% neutral
- 26% disagreed

Confidence in merit-based hiring has increased by 12% since 2006.

Staffing Reviews

The Office will survey employees to determine awareness of the review process and attitudes about the use of it. The results will be used to determine whether the work culture supports the use of the right or whether employees think a request is a career limiting action. This is particularly important when hiring and promotions are centralized through the same agency.

Appendix 1: Organization of the Office



Appendix 2: Organizations within the Jurisdiction of the Office

Organizations with staff appointed under section 8 of the *Public Service Act* [RSBC 1996] include:

Ministries:

Office of the Premier
Aboriginal Relations and Reconciliation
Advanced Education and Labour Market Development
Agriculture and Lands
Attorney General
Children and Family Development
Citizens' Services
Community and Rural Development
Education
Energy, Mines and Petroleum Resources
Environment
Finance
Forests and Range
Health Services
Healthy Living and Sport
Housing and Social Development
Labour
Public Safety and Solicitor General
Small Business, Technology and Economic Development
Tourism, Culture and the Arts
Transportation and Infrastructure

Independent Offices:

Auditor General
Elections BC
Information and Privacy Commissioner
Merit Commissioner
Ombudsman
Police Complaints Commissioner
Representative for Children and Youth

Agencies, Boards and Commissions:

BC Mental Health Society
BC Pension Corporation
BC Public Service Agency
Broadmead Care Society
Environmental Appeal Board
Financial Institutions Commission
Forensic Psychiatric Services Commission
Forest Practices Board
Forest Appeals Commission
Islands Trust
Oak Bay Lodge Continuing Care Society
Provincial Capital Commission
Public Sector Employer Council
Royal BC Museum